

REMARKS

In the final Office Action mailed April 27, 2009 the Office noted that claims 1-16 were pending and rejected claims 1-16. Claims 1, 4, 8 and 11 have been amended, claims 2, 3, 5, 9, 10, and 12 have been cancelled, and, thus, in view of the foregoing claims 1, 4, 6-8, 11 and 13-16 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections are traversed below.

The previous After-Final Amendments of July 8<sup>th</sup> and July 9, 2009 shall remain unentered.

EXAMINER INTERVIEW

The undersigned wishes to thank the Examiner for meeting on June 9, 2009 to interview this matter. The Applicants have amended the claims consistent with the amendments discussed at the interview.

REJECTIONS under 35 U.S.C. § 103

Claims 1, 7-8 and 14-16 stand rejected under 35 U.S.C. § 103(a) as being obvious over Breslow, U.S. Patent No. 2007/0058656 in view of Sonning, U.S. Patent No. 6,717,933 in further view of Nurmela, U.S. Patent Publication No. 2003/0120622. The Applicants respectfully disagree and traverse the rejection with an argument and amendment.

In conformity with the amendment discussed on June 9, 2009 in the Examiner Interview, the Applicants have amended claim 1 to additionally recite "forming at least one

directed graph, based on at least some of the sequences and at least some of the relocation objects, and determining a longest execution path through the directed graph; and entering in the processor instruction memory in a shorter of the at least two execution paths a null instruction, so as to make the at least two execution paths equally long, wherein the length of the at least two execution paths correspond to at least to the length of the longest execution path."

Support for the amendment may be found, for example, in claims 2, 3 and 5 and ¶ 0030 of the printed publication version of the Specification. The Applicants submit that no new matter has been added by the amendment of the claim. Further, the Applicants submit that the differences between claim 5 as previously filed and the new claim 1 are so minor as to not require further search. The Applicants respectfully request that the amendment be entered.

The Applicants submit that the feature of claim 1 are not taught or suggested by the prior art of record.

Claim 8 has been amended in a manner consistent with the amendment to claim 1. For the least the reasons discussed above, Breslow, Sonning, Nurmela and Wagner, taken separately or in combination fail to render obvious the features of claims 1 and 8 and the claims dependent therefrom.

Claims 2-6 and 9-13 stand rejected under 35 U.S.C. § 103(a) as being obvious over Breslow in view of Sonning in

further view of Nurmela in view of Wagner, U.S. Patent Publication No. 2003/0023388. The Applicants respectfully disagree and traverse the rejection with an argument.

Claims 2, 3, 5, 9, 10 and 12 have been cancelled. It is respectfully submitted that the remaining claims are dependent from allowable base claims.

Withdrawal of the rejections is respectfully requested.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. § 103. It is also submitted that claims 1, 4, 6-8, 11 and 13-16 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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